



Entered on Docket
December 10, 2010


Hon. Linda B. Riegle
United States Bankruptcy Judge

6 BARRY LEVINSON & ASSOCIATES
7 BARRY LEVINSON, ESQ.
8 Nevada Bar No.: 006721
9 JEREMY MONDEJAR, ESQ.
10 Nevada Bar No.: 11213
11 2810 S. Rainbow Blvd.
Las Vegas, Nevada 89146
(702) 836-9696
Attorney for Debtor

E-FILED: 12/6/10

12 UNITED STATES BANKRUPTCY COURT

13 DISTRICT OF NEVADA

14 In Re:) Case No. BKS-10-21401-LBR
15 **RENE VALENCIA**) Chapter 13
16) Debtor(s).)
17) Hearing Date: 11/18/10)
18) Hearing Time: 3:00 pm)
19))
19))

20 **ORDER FOR CRAMDOWN**

21 This matter having come on regularly for hearing on Debtors' Motion to
22 Value Collateral, "Strip Off", "Cramdown" and Modify Wells Fargo Home Mortgage
23 as against Debtors' rental property; good cause appearing therefore,

24
25 1. IT IS HEREBY ORDERED that the security interest of Wells Fargo Home
26 Mortgage in the rental property commonly known as 6408 N. 67th Dr., Glendale,
27 AZ 85303, legally described as:
28 ROMERO ESTATES Lot 52 UNIT 2 MCR 582-25

1 APN 144-04-347, (hereinafter the "Property").

2 2. Shall be avoided under 11 U.S.C. Sec 506(d) and set aside and that the
3 claim of such creditor(s) in these bankruptcy proceedings shall be treated as
4 unsecured.

5 IT IS FURTHER ORDERED that certain Deed of Trust recorded in the
6 Office of the Clark County Recorder office, conditioned upon Debtors completing
7 the above-referenced bankruptcy proceeding and obtaining a Chapter 13
8 discharge, be removed and expunged from the county records and shall thereafter
9 no longer constitute a lien or encumbrance upon the aforesaid real property.

10 IT IS FURTHER ORDERED that this Order shall not be recorded with the
11 Office of County Recorder until such time as the Debtors have received his
12 Chapter 13 Discharge in this matter.

13 IT IS FURTHER ORDERED that nothing contained herein shall alter the
14 rights of the secured creditor upon dismissal or conversion.

15 IT IS FURTHER ORDERED that in the event the aforesaid property should
16 be sold at a foreclosure trustee sale, the lawful beneficiary of the aforesaid Deed
17 of Trust shall be entitled to receive any surplus proceeds in accordance with state
18 law.

19 Dated: 12/7/10

20 Submitted by:

21 /S/ JEREMY MONDEJAR

22 JEREMY MONDEJAR, ESQ.
23 Attorney for Debtor

1 Approved as to form and content

2

3

Kathleen Leavitt,
4 Chapter 13 Trustee

FAILED TO RESPOND

5

6 Wells Fargo Home Mortgage, C/O REGISTERED AGENT, **FAILED TO**
RESPOND

7

8

ADMINISTRATIVE ORDER NO. 2010-01

9

LR 9021(c) is hereby amended to read as follows:

10

11

- 1) Documents listed in subsection (a) above must be submitted to the court with the following certification from the submitting counsel:

12

13

In accordance with Local Rule 9021, counsel submitting this document certifies as follows:

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

The Court waived the requirements of LR 9021(b)(1).

No party appeared at the hearing or filed an objection to the motion.

I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below

[list each party and whether the party has approved, disapproved, or failed to respond to the document]:

I certify that this is a case under Chapter 7 or Chapter 13, that I

have served a copy of this order with the motion pursuant to LR 9014(g), and that no parties has objected to the form or content of the order.

####